

## REMARKS

By this Amendment, claims 1-12 are amended, and claim 13 is added. Thus, claims 1-13 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

The specification and abstract have been carefully reviewed and revised in order to correct grammatical and idiomatic errors in order to aid the Examiner in further consideration of the application. The amendments to the specification and abstract are incorporated in the attached substitute specification and abstract. No new matter has been added.

Also attached hereto is a marked-up version of the substitute specification and abstract illustrating the changes made to the original specification and abstract.

The Applicants thank the Examiner for kindly indicating, in item 3 on page 2 of the Office Action, that claims 1-7 and 9-12 are allowed. Minor editorial revisions were made to claims 1-7 and 9-12 in order to improve their U.S. form and to avoid a possible construction of claims 1-6 and 11 under 35 U.S.C. § 112, sixth paragraph. The Applicants submit that the revisions to claims 1-7 and 9-12 were not to broaden or narrow the scope of protection for the present invention. Accordingly, the Applicants respectfully submit that claims 1-7 and 9-12, as amended, are still clearly in condition for allowance.

In item 5 on page 2 of the Office Action, claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Blahut et al. (U.S. 5,442,389) in view of White et al. (U.S. 6,628,302). This rejection is respectfully traversed for the following reasons.

The present invention, as recited in claim 8, provides a data reception/playback method for receiving and playing stream data including at least one of audio and data. The data reception/playback method of the present invention provides that when data playback is to be halted temporarily, a request for transmission halt is made to a transmitting end by halting data reception from a lower communication protocol. Accordingly, the invention of claim 8 issues a request for stopping transmission to the transmitting end by interrupting data reception from a “lower” communication protocol without sending an instruction that is specified by an upper layer to the transmitting end.

The data reception/playback method of the present invention also provides that when data playback is to be restarted, a request for transmission restart is made to the transmitting end by restarting data reception from the lower communication protocol. Accordingly, the invention of claim 8 realizes a significant advantage in that a stop/pause and restart of stream data transmission can be performed without modifying a “lower” communication protocol, that is, without newly adding a transmission stop/pause or restart instruction to a “lower” protocol.

On page 2 of the Office Action, the Examiner correctly acknowledged that Blahut et al. fails to disclose or suggest that data reception is performed via a “lower” communication protocol. To teach this feature, the Examiner applied White et al.

White et al. discloses an interactive video programming method and system in which conventional television programming and interactive entertainment are presented to a user in an integrated fashion. In particular, White et al. discloses that an entertainment head-end 12 distributes HTML-based programming, such as customized news and interactive games, via a interactive service server 30 to client terminals 14. The entertainment head-end also includes a control computer 32 for receiving and transmitting control data related to system administration (see Column 2, lines 17-31 and Figures 1-2). White et al. discloses that the HTML-based interactive services from the interactive service center 30 and the control data from the control computer 32 can be transmitted by using a “lower” conventional protocol such as TCP/IP. White et al. also discloses that a proxy server 24 may be interposed in a logical TCP/IP control channel 27 between the entertainment head-end 12 and the client terminals 14 for performing various system control and user interface functions (see Column 2, lines 6-16 and Figure 1).

White et al. also discloses that if a user of the client terminals 14 interactively selects a program (on-demand video), the user may stop or pause delivery of the program from the entertainment head-end 12 to the user’s terminal 14. However, White et al. discloses that in order to stop or pause a presently playing program, the client terminal 14 must send a corresponding stop or pause instruction to the entertainment head-end 12 in order to interrupt delivery of the MPEG program (see Column 4, line 65 to Column 5, line 9). Accordingly, this stop or pause instruction is provided at an “upper” layer relative to a “lower” communication protocol.

However, as described above, the method of claim 8 issues a request for stopping transmission to the transmitting end by interrupting data reception from a “lower” communication protocol without sending an instruction that is specified by an “upper” layer to the transmitting end. Further, according to the method of claim 8, a stop/pause and restart of stream data transmission can be performed without modifying a “lower” communication protocol, that is, without newly adding a transmission stop/pause or restart instruction to a “lower” protocol.

Accordingly, White et al. clearly does not disclose or suggest that when data playback is to be halted temporarily, a request for transmission halt is made to a transmitting end by halting data reception from a lower communication protocol, as recited in claim 8. Similarly, White et al. does not disclose or suggest that when data playback is to be restarted, a request for transmission restart is made to the transmitting end by restarting data reception from the lower communication protocol, as recited in claim 8, since the pause or stop instruction to the entertainment head-end 12 is provided at an “upper” layer relative to a “lower” communication protocol.

Therefore, White et al. clearly does not cure the deficiencies of Blahut et al. for failing to disclose each and every limitation of claim 8. Accordingly, no obvious combination of Blahut et al. and White et al. would result in the invention of claim 8 since Blahut et al. and White et al., either individually or in combination, clearly fail to disclose or suggest each and every limitation of claim 8.

Furthermore, it is submitted that the clear distinctions discussed are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Blahut et al. and White et al. in such a manner as to result in, or otherwise render obvious, the present invention as recited in claim 8. Therefore, it is submitted that the claim 8, as well as claim 13 which depends therefrom, are clearly allowable over the prior art as applied by the Examiner.

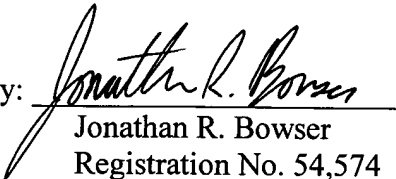
In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the

Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Makoto HAGAI et al.

By:   
Jonathan R. Bowser  
Registration No. 54,574  
Attorney for Applicants

JRB/ck  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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